

Asher, Audrey

From: Merrigan, Jessie (LG) [JMerrigan@LATHROPGAGE.COM]
Sent: Tuesday, December 10, 2013 9:03 PM
To: Wachs, Amy
Cc: Joseph P. Bindbeutel (Joe.Bindbeutel@ago.mo.gov); Asher, Audrey; aaron.schmidt@dnr.mo.gov; chris.nagel@dnr.mo.gov; branden.doster@dnr.mo.gov; Kate Whitby; Beck, Bill (LG); Mario A. Pandolfo Jr. (MAPandolfo@flystl.com)
Subject: RE: Comments on Bird Hazard Monitoring and Mitigation Plan

Hi Amy,

Apologies for the short nature of my earlier email, as you may have observed in the media, it has been a busy few weeks.

To confirm, we did receive the letter you provided EPA and have already provided it to our team for consideration in the plan for the isolation barrier. Additionally, we will include expertise in mitigation methods in the summary report for the North Quarry work. While no such methods were necessary in this round of work, we understand the need for your team to understand that for planning purposes.

We absolutely understand the need for the Airport to obtain information and provide input in advance of the isolation barrier work. Please know that we fully intend to keep our commitment to involve you to allow for that planning. We are working with EPA on the next phase of the investigation to better understand the results of the existing data, and we will then be working with EPA on further investigation and planning. Our hope was to have more information on the design (construction timing and scope) of that barrier to better utilize your time in mitigation discussions. We do not have that yet.

However, it sounds like it might be useful to proceed with our discussion in two phases. I would propose that we plan to meet in January to review the bird monitoring report prepared from the North Quarry work. This will allow you an early opportunity to share your feedback on that approach and any suggested adjustments. We would use that feedback as we develop the monitoring and mitigation plan for the barrier work. And once we have more details, we would be able to meet with you again for a more specific planning discussion for that work.

Given hectic schedules for year-end as we try to advance the various ongoing schedules, I am hesitant to be too optimistic on when I promise you the summary report. That is why I would like to get it to you in early January and schedule a discussion for a time that has allowed you to review that report.

If it makes sense – maybe we could have a short call later this week or next week to look at schedules.

Thanks for your feedback,
Jessie

**LATHROP
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Superfund

From: Wachs, Amy [mailto:Amy.Wachs@huschblackwell.com]

Sent: Tuesday, December 10, 2013 6:35 PM

To: Merrigan, Jessie

Cc: Joseph P. Bindbeutel (Joe.Bindbeutel@ago.mo.gov); Audrey B. Asher (asher.audrey@epa.gov); aaron.schmidt@dnr.mo.gov; chris.nagel@dnr.mo.gov; branden.doster@dnr.mo.gov; Kate Whitby; Beck, Bill; Mario A. Pandolfo Jr. (MAPandolfo@flystl.com)

Subject: RE: Comments on Bird Hazard Monitoring and Mitigation Plan

Jessie:

We look forward to your summary report. Please let me know when you have a date for when that will be available. Also, I wanted to follow up on my earlier question regarding the training your bird hazard mitigation experts have on bird control measures, in addition to the expertise their resumes show in bird habitat identification. The City needs to make sure that if a bird hazard is created, or is beginning, Bridgeton Landfill's experts will have the expertise to get it quickly under control. Could you please let me know what training these experts have in bird hazard control measures?

The City would like to discuss the elements of a successful bird hazard plan with the Landfill. As the work is complete for the year, a meeting can wait somewhat, but we will need to make sure there is adequate time available not only for our discussions, but for the City to review any completed plan with the FAA. Insuring that no bird hazard is created long term from all the Landfill's activities is important to the City and we are concerned that if we put off the discussion very much, the City will not have the time needed for all internal discussions and FAA review. Please let me know when you think the Landfill will be ready to discuss and we can set up a meeting.

I'm sure you have a copy of the City's comments to USEPA on the necessary elements of a bird hazard control plan for the isolation barrier. As these measures are a little different from the measures the City was willing to accept for the less intrusive work on the North Quarry, our discussions on the isolation barrier will need to include the elements sent to USEPA.

I look forward to hearing from you on the meeting timing.

Amy

Amy L. Wachs

Partner

Direct: 314.480.1840

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From: Merrigan, Jessie (LG) [mailto:JMerrigan@LATHROPGAGE.COM]

Sent: Monday, December 09, 2013 12:57 PM

To: Wachs, Amy

Cc: Joseph P. Bindbeutel (Joe.Bindbeutel@ago.mo.gov); Audrey B. Asher (asher.audrey@epa.gov); aaron.schmidt@dnr.mo.gov; chris.nagel@dnr.mo.gov; branden.doster@dnr.mo.gov; Kate Whitby; Beck, Bill (LG)

Subject: RE: Comments on Bird Hazard Monitoring and Mitigation Plan

Good afternoon Amy,

Thank you for the follow up. Just as an update the invasive work for the North Quarry is complete for this year and the investigation for the isolation barrier is ongoing. We will be reviewing your comments and preparing a summary report of the oversight and monitoring of this most recent phase of work (no mitigation measures were necessary during that work).

I think it might make sense once we have that, and potentially more information on the barrier plan, for us to meet to work through your comments on the plan and the summary so that we can utilize that for the monitoring and mitigation planning for the barrier.

I have asked our wildlife biologists to update me on when they expect to have the summary report and I will keep you posted on that.

Thank you,
Jessie

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From: Wachs, Amy [<mailto:Amy.Wachs@huschblackwell.com>]

Sent: Monday, November 25, 2013 9:49 PM

To: Merrigan, Jessie

Cc: Joseph P. Bindbeutel (Joe.Bindbeutel@ago.mo.gov); Audrey B. Asher (asher.audrey@epa.gov); aaron.schmidt@dnr.mo.gov; chris.nagel@dnr.mo.gov; branden.doster@dnr.mo.gov

Subject: Comments on Bird Hazard Monitoring and Mitigation Plan

Jessie:

Attached please find the comments of the City of St. Louis on the Bridgeton Landfill Bird Hazard Monitoring and Mitigation Plan. Please call me if you have questions.

Amy

Amy L. Wachs
Partner

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